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Attorney for Defendant -BENIYIHIA HEBBAR

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:16-CR-00328-JCM-GWF
)	
)	
Plaintiff,)	
)	
v.)	
)	
BENIYIHIA HEBBAR,)	
)	
Defendant)	
_____)	

STIPULATION AND ORDER TO CONTINUE SENTENCING HEARING

IT IS HEREBY STIPULATED AND AGREED by and between DUSTIN R MARCELLO, ESQ. Counsel for Defendant BENIYIHIA HEBBAR and CHRIS BURTON, Assistant United States Attorney, that the Sentencing Hearing currently scheduled for February 28, 2018, at 9:00 a.m., be vacated and reset on a date and time convenient to the court, but no earlier than 30 days.

This Stipulation is entered into for the following reasons:

1. Counsel for defendant has spoken to defendant and he has no objection to the request of continuance.
2. Defendant is in custody in Pahrump.

- 1 3. Counsel has spoken to AUSA Chris Burton and he does not oppose to the
2 continuance.
3
4 4. Counsel recently filed a Motion to Withdraw Guilty plea on or around February 19.
5 2018 and needs additional time for the Government to reply and for a response if
6 any.
7
8 5. Denial of this request for continuance could result in a miscarriage justice.
9
10 6. For all the above-stated reasons, the ends of justice would best be served by a
11 continuance of the Sentencing Hearing until a date and time convenient to the court.

12 This is the second request for continuance filed herein.

13 DATED: February 27, 2018
14
15

16 /S/
17 DUSTIN R. MARCELLO, ESQ.
18 601 LAS VEGAS BOULEVARD, S
19 LAS VEGAS, NEVADA 89101
20 ATTORNEY FOR THE DEFENDANT
21 BENIYIHIA HEBBAR

22 /S/
23 CHRIS BURTON
24 ASSISTANT UNITED STATES ATTORNEY
25 501 LAS VEGAS BOULEVARD SOUTH. #1100
26 LAS VEGAS, NEVADA 89101
27 ATTORNEY FOR UNITED STATES OF
28 AMERICA

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UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,)	2:16-CR-00328-JCM-GWF
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Plaintiff,)	
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v.)	
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BENIYIHIA HEBBAR,)	
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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

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10

11 **CONCLUSIONS OF LAW**

12 Denial of this request for continuance would deny the parties herein the opportunity
13 to effectively and thoroughly prepare for Sentencing Hearing.

14 Additionally, denial of this request for continuance could result in a miscarriage of
15 justice.
16

17 **ORDER**

18 IT IS HEREBY ORDERED that the Sentencing Hearing currently scheduled for
19 FEBRUARY 27, 2018, at 9:00 a.m., be continued to the **2nd day of April, 2018 at 10:30 a.m.**
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21

22 DATED February 27, 2018.
23

24 
25 _____
26 U.S. DISTRICT JUDGE
27
28